

THE UNITED STATES PATENT AND TRADEMARK OFFIC

APPLICANT: James V. Young

**GROUP ART UNIT: 3764** 

SERIAL NO.: 08/176,866

EXAMINER: DeMille, D.

FILED: October 22, 1998

DOCKET NO.: 6996

FOR MASSAGE APPARATUS

Commissioner for Patents Washington, D.C. 20231

## PETITION FOR EXTENSION OF TIME **UNDER 37 C.F.R. § 1.136(a)**

1. Applicant hereby petitions pursuant to 37 C.F.R. §1.136(a) for a one month

Sir:

extension of time for response to the outstanding Official Action mailed May 9, 2001. The period for response was previously set to elapse August 9, 2001, and is accordingly hereby extended to September 9, 2001, which is still within the six month statutory period for response (35 U.S.C. §133) which elapses November 9, 2001. The reason for this petition is as follows: A response to the outstanding Official Action is being filed herewith. It is expected that a response to the outstanding Official Action will be filed

within the extending period for response; A Notice of Appeal to the Board of Appeals (37 C.F.R. §1,1991) is being filed herewith;

[ ] It is expected that a Notice of Appeal to the Board of Appeals (37 C.F.R. §1.191) will be filed within the extended period for response;

A Division, Continuation, or Continuation-In-Part is being filed, and it is desired to maintain the present application in pending condition pursuant to 35 U.S.C. §120 through at least the filing date of the Division, Continuation, or Continuation-In-Part application.

3. Small Entity Status (37 C.F.R. §1.9(f)) in this application 8.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 31, 2001.

09/07/2001 ANABII 00000001 08176866

## [X] Has been established by a Verified Statement or Declaration filed.

4. The required fee as established by 37 C.F.R. §1.17(a), (b), (c) or (d) pursuant to 35 U.S.C. §41(a)(8) is:

	Small Entity	Other than Small Entity
First Month	[⊠] \$ 55.00	[ ] \$ 110.00
Second Month	[□] \$195.00	[ ] \$ 390.00
Third Month	[□] \$445.00	[ ] \$ 890.00
Fourth Month	[□] \$695.00	[ ] \$1,390.00

- 5. The above fee is:
- [x] Enclosed.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment under 37 CFR §1.16 and §1.17 which may be required to Deposit Account No. 162201. *Duplicates of this sheet are enclosed*.

Respectfully submitted,

Date: August 31, 2001

Lionel L. Lucchesi Registration No: 25,891

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